

SIXTY-NINTH DAY.

(Monday, May 3, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin	Moore
Beck	Neal
Brownlee	Newton
Burns	Oneal
Collie	Pace
Cotten	Rawlings
Davis	Roberts
Hill	Westerfeld
Holbrook	Winfield
Isbell	

Call of the Senate.

The President announced there was not a quorum present.

Senator Pace moved a call of the Senate for the purpose of securing a quorum, and the call was duly seconded.

The Sergeant-at-Arms and Doorkeeper were directed to permit no Member to leave the Senate chamber and the Sergeant-at-Arms was instructed to enforce the attendance of all absent Senators.

Pending the call of the Senate, the following Senators appeared in the Senate chamber and were recorded present:

Head	Spears
Lemens	Stone
Nelson	Sulak
Redditt	Van Zandt
Shivers	Weinert
Small	Woodruff

A quorum was announced present.

The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of Friday, April 30, 1937 was dispensed with, on motion of Senator Aikin.

Reports of Standing Committees.

Reports on Senate Bills Nos. 497 and 505, and on House Bills Nos. 58, 196, 970 and 838 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

Senate Joint Resolution No. 5 on Engrossment.

The President laid before the Senate, as unfinished business, on its passage to engrossment (the resolution having been read second time on April 7, 1937):

S. J. R. No. 5, Proposing an amendment of Section 51b of Article III of the Constitution of the State of Texas so as to require the Legislature to provide for a system of Old Age Pension and/or Assistance not to exceed Fifteen Dollars (\$15) per person per month to actual bona fide residents of the State of Texas, over the age of sixty-five years, excluding therefrom habitual criminals, habitual drunkards and inmates of a State supported institution; providing for the length of time of actual residence by applicants within the State of Texas; authorizing the Legislature to accept financial assistance from the United States Government for Old Age Pensions and/or Assistance; levying a two per cent occupation tax on persons engaged in the business of making retail sales of goods, wares, merchandise and commodities including the gross receipts of places of amusement; creating a Special Old Age Pension and/or Assistance Fund or funds and providing that same shall never be diverted; providing that said fund shall be prorated to the aged of this State without regard to previous standards of living, income or other restrictions than those specifically set forth; requiring the Legislature to define terms to set up machinery to administer such law and to make appropriations necessary for the administration of same; providing for the necessary proclamation, publication and election.

With the following amendment by Senator Collie pending:

Amend S. J. R. No. 5 by striking out all below the resolving clause and inserting in lieu thereof:

Proposition 1.

Section 1. That Section 51b of Article III of the Constitution of the State of Texas be so amended as to hereafter read as follows:

Sec. 51-b. (1) The Legislature shall have power by General Laws to provide for financial assistance not

to exceed Fifteen (\$15.00) Dollars per month to individual citizens over the age of sixty-five (65) years, to needy individual citizens who are blind, to needy individual citizens who are unfit for employment due to disease, and to needy dependent children, and to provide reasonable facilities for promoting and protecting the health of needy mothers and children, including adequate medical, surgical and corrective services and care for crippled children. No such financial assistance shall be granted to an habitual criminal, habitual drunkard or to an inmate of any State supported institution, and such assistance shall be confined to actual bona fide citizens of Texas who have resided in this State for as many as five years during the nine years immediately preceding the grant of assistance and continuously for one year immediately preceding such grant, provided the Legislature may impose such requirements as to residence and citizenship of dependent mothers and children as may by it seem proper.

(2) To provide revenue with which to discharge the functions authorized herein the Legislature may accept financial aid from the United States Government and shall levy and cause to be collected a tax on retail sales not to exceed two (2%) per cent of the gross amounts thereof. The term "retail sale" shall mean the sale or transfer of any goods, wares, merchandise, or tangible personal property for a valuable consideration when such transfer is made by one in the ordinary course of his business to the ultimate consumer for consumption or use, or for any purpose other than for resale, or use in processing, or manufacturing or for use by the United States Government, the State of Texas, or any political subdivision thereof. The term "retail sale" shall not include isolated or occasional sales of tangible property made by a person not engaged in the retail business nor to the sale of agricultural, dairy or livestock products when sold by the actual producer, nor to sales of motor fuel, tobacco and tobacco products, spirituous, vinous or malt liquors. All revenues derived from such sales tax authorized herein shall be collected and placed in a special fund or funds and used solely for the pur-

pose of discharging the functions herein authorized, including necessary costs of administration. No sales tax in excess of two (2%) per cent shall ever be imposed for any purpose and the power to levy additional taxes on retail sales or to provide additional revenue for such functions is expressly withdrawn.

Proposition 2.

Section 1. That Section 51-b of Article III of the Constitution of the State of Texas be so amended as to hereafter read as follows:

Sec. 51-b. (1) The Legislature shall have power by general laws to provide, under such limitations, restrictions and regulations as may be deemed expedient by the Legislature, for financial assistance in equal and uniform individual payments not to exceed Fifteen (\$15.00) Dollars per month to needy individuals over the age of sixty-five (65) years, and to provide financial assistance to needy individuals who are blind, to needy individuals who are unfit for employment due to disease, and to needy dependent children, and to provide reasonable facilities for promoting and protecting the health of needy mothers and children, including adequate medical, surgical, and corrective services and care for crippled children. No such financial assistance shall be granted to an habitual criminal, habitual drunkard or to an inmate of any State supported institution, and such assistance shall be confined to actual bona fide citizens of Texas who have resided in this State for as many as five years during the nine years immediately preceding the grant of assistance and continuously for one year immediately preceding such grant, provided the Legislature may impose such requirements as to residence and citizenship of dependent mothers and children as may by it seem proper.

Sec. 3. The foregoing proposed Constitutional amendment shall be submitted to the qualified electors of the State of Texas on the fourth Monday in August 1937, at which election there shall be printed on such ballot the following words:

"Proposition 1. For the amendment to Section 51-b of Article 3 of the Constitution, giving the Legislature power to provide assistance not to exceed \$15.00 per month to persons over the age of sixty-five (65)

years, to individuals who are blind, and to needy, dependent children, and providing for the protection of the health of dependent mothers and children including crippled children; authorizing a sales tax of two per cent (2%) to provide revenue therefor."

"Against the amendment to Section 51-b of Article 3 of the Constitution, giving the Legislature power to provide assistance not to exceed \$15.00 per month to persons over the age of sixty-five (65) years, to individuals who are blind, and to needy, dependent children, and providing for the protection of the health of dependent mothers and children, including crippled children; authorizing a sales tax of two per cent (2%) to provide revenue therefor."

"Proposition 2. For the amendment to Section 51-b of Article 3 of the Constitution giving the Legislature power to provide assistance in equal and uniform individual payments not to exceed \$15.00 per month to needy persons over the age of sixty-five (65) years, and to provide financial assistance to individuals who are blind and to needy, dependent children, and to provide for the protection of the health of dependent mothers and children, including crippled children; authorizing a sales tax of two per cent (2%) to provide revenue therefor."

"Against the amendment to Section 51-b of Article 3 of the Constitution giving the Legislature power to provide assistance in equal and uniform individual payments not to exceed \$15.00 a month to needy persons over the age of sixty-five (65) years, and to provide financial assistance to individuals who are blind and to needy, dependent children, and to provide for the protection of the health of dependent mothers and children, including crippled children; authorizing a sales tax of two per cent (2%), to provide revenue therefor."

If it appears from the returns from said election that a majority of the votes cast are in favor of Proposition 1 as herein set out, the same shall become a part of the State Constitution, but if it appears from the returns of said election that a majority of the votes cast are in favor of Proposition 2 the same shall become a part of the State Constitution; provided that in the event both propositions shall receive a majority

of the votes cast upon such issues at such election then, and in that event, the proposition receiving the greater number of votes shall prevail over the other, and be adopted as an amendment to the State Constitution, and the Legislature shall then pass enabling Acts effectuating the proposition receiving the greater number of votes; but if it shall appear that the affirmative of both said propositions 1 and 2 have been rejected, then the present Constitutional provision relating to Old Age Assistance will remain unimpaired, it being the purpose of the Legislature to submit to the people of the State of Texas the foregoing two propositions for the determination of the electors of the State which of the two they shall choose.

Sec. 4. The Governor shall issue the necessary proclamation for such election and shall have the same published and such election held as provided by the Constitution and laws of the State.

Sec. 5. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the funds of the Treasury not otherwise appropriated to pay the expenses of such publication and election.

The amendment was adopted.

The President directed the roll to be called on the passage to engrossment of the resolution as amended.

Senator Small moved that the order for the roll call on the resolution be rescinded.

The motion prevailed.

Senator Small called up from the table the following amendment to the resolution and the following amendment to the amendment:

Amendment.

Amend S. J. R. No. 5 as amended by adding at the end of the first paragraph of Section 1 the following:

"The Legislature shall provide by law for the retention of a lien on all property (except that exempt from forced sale under the Constitution and laws of Texas) of which the recipient of a pension or assistance is seized or possessed in order to secure the State of Texas in the repayment of any and all money that may be advanced to the owner of such property as a pension or as assistance and shall provide adequate laws for the enforcement of such liens."

Amendment to Amendment.

Amend Small amendment to S. J. R. No. 5 by limiting exemption to \$5,000.00 value.

Question then first recurring on the amendment to the amendment, it was adopted.

Question next recurring on the amendment as amended, yeas and nays were demanded.

The amendment as amended was adopted by the following vote:

Yeas—18.

Brownlee	Roberts
Davis	Small
Holbrook	Spears
Moore	Stone
Neal	Van Zandt
Nelson	Weinert
Oneal	Westerfeld
Pace	Winfield
Rawlings	Woodruff

Nays—11.

Aikin	Hill
Beck	Isbell
Burns	Lemens
Collie	Newton
Cotten	Sulak
Head	

Absent.

Redditt	Shivers
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Senator Brownlee offered the following amendment to the resolution as amended:

Amend pending substitute by Collie by adding to paragraph 2 of proposition No. 1 the following:

"Provided the term 'retail sale' shall not include sales on livestock actually produced in Texas."

The amendment was adopted.

Senator Collie offered the following amendment to resolution as amended:

Amend S. J. R. No. 5 as amended by adding the following at the end of Section 1, proposition No. 2:

By adding subsection 2 under proposition No. 1.

The amendment was adopted.

The resolution as amended was passed to engrossment by the following vote:

Yeas—17.

Collie	Roberts
Davis	Small
Holbrook	Stone
Neal	Sulak
Nelson	Van Zandt
Newton	Weinert
Pace	Winfield
Rawlings	Woodruff
Redditt	

Nays—12.

Aikin	Hill
Beck	Isbell
Brownlee	Lemens
Burns	Moore
Cotten	Spears
Head	Westerfeld

Present—Not Voting.

Oneal

Absent.

Shivers

Senate Bill No. 504 on First Reading.

Senator Holbrook moved that the rule limiting the time for introduction of certain bills to the first 45 days of the session be suspended, to permit the introduction at this time of a general bill.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent.

Shivers

The following bill was introduced, read first time and referred to the Committee on State Affairs:

By Senator Holbrook:
S. B. No. 504, A bill to be entitled
"An Act creating a Board for the

lease of the land composing the permanent encampment for the Thirty-sixth Division, Texas National Guard, known as Camp Hulén, situated at or near Palacios in Matagorda County, Texas, and providing for the lease or sale of oil and gas and sulphur and other minerals therein and defining the duties and powers of said Board; prescribing the mode and manner of leasing and selling oil, gas and sulphur in said lands, and the disposition to be made of the proceeds of such sales: making an appropriation to defray the expenses of enforcing this Act; and declaring an emergency."

Senate Joint Resolution No. 5 on Third Reading.

Senator Collie moved that the rule requiring joint resolutions to be read on three several days be suspended and that S. J. R. No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26.

Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Small
Head	Stone
Hill	Sulak
Holbrook	Van Zandt
Isbell	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Nays—4.

Aikin	Moore
Lemens	Spears

Absent.

Shivers

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time.

On motion of Senator Van Zandt and by unanimous consent, it was ordered that the caption of the resolution be amended to conform with the body of the resolution.

The resolution failed to pass by the following vote (not receiving the

necessary two-thirds vote of the members of the Senate):

Yeas—18.

Collie	Redditt
Davis	Roberts
Holbrook	Small
Neal	Stone
Nelson	Sulak
Newton	Van Zandt
Oneal	Weinert
Pace	Winfield
Rawlings	Woodruff

Nays—13.

Aikin	Isbell
Beck	Lemens
Brownlee	Moore
Burns	Shivers
Cotten	Spears
Head	Westerfeld
Hill	

Senate Bill No. 179 on Second Reading.

On motion of Senator Head, and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment:

S. B. No. 179, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the Highway Fund; authorizing payment of certain miscellaneous claims out of the funds of the Game, Fish and Oyster Commission, Texas Railroad Commission, State Park Board, Texas Prison System; providing further that payments shall be made after audit of claim shall have been made by the State Auditor and/or Comptroller and approved by the Attorney General; making appropriation to the Governor to pay expenses of returning fugitives on Governor's requisitions; granting certain persons permission to sue the State; and declaring an emergency."

The President laid the bill before the Senate, it was read second time and was passed to engrossment.

Senate Bill No. 179 on Third Reading.

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 179 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent.

Shivers

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Absent.

Shivers

Senate Joint Resolution No. 4 on Engrossment.

Senator Oneal called up from the President's table, on its passage to engrossment (the resolution having been read second time on March 1, 1937):

S. J. R. No. 4, Proposing an amendment to Article 5 of the Constitution of the State of Texas, by adding a new Section to be known as Section 3-a, providing how interlocutory injunctions, sustaining or restraining enforcement, operation

or execution of any statute of this State or of the United States, based upon the ground of the unconstitutionality of such statute, may be issued; and providing for appeal from order issuing or refusing to issue such interlocutory injunction; and providing that temporary restraining orders in such cases may be granted under the rules and regulations prescribed by the Supreme Court; and providing for appeal to the Supreme Court of the order granting or denying such interlocutory injunction; and providing for an election upon such proposed constitutional amendment, and making an appropriation therefor."

The President laid the resolution before the Senate on its passage to engrossment, with the following amendment by Senator Oneal pending.

Amend S. J. R. No. 4 by striking out the following beginning with the word "no" in line 23, page one of the printed resolution down to and including the word "for" in line 56 of the same page, and inserting in lieu thereof the following:

"No interlocutory injunction suspending or restraining the enforcement, operation, or execution of any statute of this State, or of the United States, by restraining the action of any officer of this State, or of the United States, in the enforcement or execution of such statute, or in the enforcement or execution of an order made by an administrative board or commission, acting under and pursuant to the statutes of this State or of the United States, shall be issued or granted by any county court of the State of Texas, or by any judge thereof, or by any district court, or any judge thereof, upon the ground of the unconstitutionality of such statute, until at least five days' notice of the hearing of the application for such interlocutory injunction has been given to the Governor and to the Attorney General of this State, and such other persons as may be defendants in the suit; provided, that if of opinion that irreparable loss or damage would result to the complainant unless a temporary restraining order is granted, the court or the judge to whom said application is made may, under the rules and regulations to be prescribed by the Supreme Court of this State, grant such temporary restraining order at any time before

such hearing and determination of application for an interlocutory injunction, but such temporary restraining order shall remain in force only until the hearing and determination of the application for an interlocutory injunction upon notice, as hereinbefore required. The hearing upon application for interlocutory injunction shall be given precedence and shall be in every way expedited and be assigned for hearing at the earliest practicable day after the expiration of the notice provided for."

Senator Oneal, by unanimous consent, withdrew the pending amendment.

Senator Moore offered the following amendment to the resolution:

Amend S. J. R. No. 4 by striking out Section 1 and inserting in lieu thereof the following:

"That Article 5 of the Constitution of Texas be amended by adding thereto a new section to be known as Section 3a and reading as follows:

"Sec. 3a. The Legislature shall have the power to provide by law, or to grant to the Supreme Court of Texas to power to provide, for an appeal by writ of error, or otherwise, direct to the Supreme Court of this State from the order of any trial court granting or denying an interlocutory or permanent injunction on the grounds of the constitutionality or unconstitutionality of any statute of this State or of these United States."

Senator Oneal offered the following substitute for the amendment:

Amend Sections 1 and 2 of the resolution to read as follows:

Section 1. That Article 5 of the Constitution of the State of Texas be amended by adding thereto three new sections, to be known as Section 3-a, Section 3-b, and Section 3-c, as follows:

Sec. 3-a. No interlocutory injunction suspending or restraining the enforcement, operation, or execution of any statute of this State by restraining the action of any officer of this State in the enforcement or execution of such statute shall be issued or granted by any trial court of the State of Texas, or any Judge thereof, upon the ground of the unconstitu-

tionality of such statute, unless the petition for same shall have been on file at least five days before it is acted on, and unless the opposite party, or parties, and the Attorney General of this State shall have had at least three days' notice thereof, not counting the day of hearing, of the filing of such petition.

Sec. 3-b. All appeals from interlocutory injunctions suspending or restraining the enforcement, operation, or execution of any statute of this State pertaining to the revenue laws of this State, or to the enforcement of any criminal law thereof, shall be direct to the Supreme Court, under such rules and regulations as may be prescribed by the Supreme Court. The Legislature shall have the power to provide by law, or to grant to the Supreme Court the power to provide by rules, for an appeal by writ of error, or otherwise, direct to the Supreme Court of this State from any other order of any trial court granting interlocutory injunction or permanent injunction on the ground of the unconstitutionality of any statute of this State.

Sec. 3-c. The Supreme Court of this State at its discretion, if it deems the matter of sufficient importance, may exercise original power and jurisdiction in a direct proceeding filed in such Court by the Attorney General of Texas, by and with the consent of the Court, to prohibit and enjoin the Judges of any and all district courts in this State from issuing or enforcing interlocutory injunctions or restraining orders, enjoining or restraining the enforcement of any revenue or criminal law of this State on the ground that such law is unconstitutional or invalid. This section shall only apply in instances where there is no issue of fact involved, and the matter can be decided on the validity of the statute alone.

Sec. 2. The foregoing constitutional amendments shall be submitted to the qualified electors of the State of Texas on the _____ day of _____, 1937.

On motion of Senator Oneal, the resolution was tabled subject to call.

House Bill No. 16 Set as Special Order.

Senator Davis moved that H. B. No. 16 be set as a special order for next Thursday, May 6, 1937, imme-

diately after conclusion of the morning call on that day.

The motion prevailed unanimously.

Senate Bill No. 331 on Third Reading.

Senator Hill moved that the regular order of business be suspended to take up and have placed on its third reading and final passage:

S. B. No. 331, A bill to be entitled "An Act to amend Chapter 246, page 624, Acts of the Forty-fourth Legislature, being Section 10 of Article 6066a, Subsections (b) and (c), and amending Section 13, Article 6049e, Revised Civil Statutes of 1925, as amended, and declaring an emergency."

The motion prevailed by the following vote:

Yeas—23.

Aikin	Pace
Beck	Rawlings
Burns	Redditt
Cotten	Roberts
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Nays—3.

Brownlee	Weinert
Collie	

Absent.

Davis	Shivers
Lemens	Small
Moore	

The President laid the bill before the Senate and it was read third time.

Senator Pace moved the previous question on the passage of the bill, and the motion was duly seconded.

Yeas and nays was demanded, and the main question was ordered by the following vote:

Yeas—16.

Beck	Neal
Brownlee	Nelson
Burns	Newton
Cotten	Oneal
Head	Pace
Hill	Spears

Sulak	Westerfeld
Van Zandt	Winfield

Nays—12.

Aikin	Redditt
Collie	Roberts
Holbrook	Small
Isbell	Stone
Lemens	Weinert
Rawlings	Woodruff

Absent.

Davis	Shivers
Moore	

The bill then was passed by the following vote:

Yeas—17.

Aikin	Pace
Beck	Rawlings
Burns	Roberts
Cotten	Spears
Head	Stone
Hill	Sulak
Holbrook	Westerfeld
Isbell	Winfield
Nelson	

Nays—10.

Brownlee	Redditt
Collie	Small
Moore	Van Zandt
Neal	Weinert
Oneal	Woodruff

Absent.

Davis	Newton
Lemens	Shivers

Senate Bill No. 476 With House Amendments.

Senator Moore called up S. B. No. 476 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate and the House amendments were read.

Senator Moore moved that the Senate do not concur in the House amendments and that a free conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President appointed Senators Moore, Redditt, Cotten, Brownlee and Winfield as a free conference committee on the bill on the part of the Senate.

Signatures Stricken From Senate Bill No. 331.

On motion of Senator Woodruff, it was ordered that his signature as a co-author of S. B. No. 331 be stricken from the bill.

On motion of Senator Neal, it was ordered that his signature as a co-author of S. B. No. 331 be stricken from the bill.

Senate Bill No. 353 on Second Reading.

The President laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 353, A bill to be entitled "An Act granting aid to the property in and inhabitants of Newton County, Texas, and to Newton County, made necessary by reason of calamitous overflows, floods, and storms, which cause great destruction of property, and menacing of life; remitting, releasing, granting and donating to the property in and inhabitants of said county, and to Newton County, all State ad valorem taxes for general revenue purposes levied or to be levied on property in said county, including the rolling stock of railroads and three-fourths of the State occupation taxes, for the years 1937 and 1937, both inclusive; providing how such remitted, released, granted and donated taxes may be used and providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

The bill was read second time.

On motion of Senator Redditt, the bill was tabled subject to call.

Senate Bill No. 306 on Second Reading.

The President laid before the Senate as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 306, A bill to be entitled "An Act supplemental to and amending Article 6341, Revised Civil Statutes of Texas, 1925, relating to the powers of railroad corporations, enlarging their charter powers, and empowering them to transport persons, property, goods, wares, merchandise, mail, and any valuable thing by highway, air, pipe line, and

water, repealing all laws or parts of laws in conflict, providing if any part is declared unconstitutional, such decision shall not affect the remainder of the Act, and creating an emergency."

The bill was read second time.

Senator Burns offered the following amendment to the bill:

Amend S. B. No. 306, page 1, line 21 by adding at the end of Section 1 the following:

Provided nothing in this Act shall relieve such carriers from complying with the laws of this State requiring the applicant to show public convenience and necessity before receiving a certificate authorizing the use of the highways and such rail carriers shall comply with all other laws, rules and regulations applicable to motor carriers.

(Senator Collie in the Chair.)

The amendment was adopted.

S. B. No. 306 was passed to engrossment.

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 3, 1937.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 55, Granting permission to Dr. H. R. Allman to bring suit against the State, et al.

S. C. R. No. 59, Granting permission to J. A. Thedford to sue the State of Texas and the Department of Agriculture of the State of Texas.

The House has adopted the Conference Committee report on H. J. R. No. 2 by a vote of 112 yeas, 4 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 306 on Third Reading.

Senator Holbrook moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 306 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Nelson	Winfield
Newton	

Nays—4.

Cotten	Westerfeld
Neal	Woodruff.

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Collie	Rawlings
Davis	Redditt
Hill	Shivers
Holbrook	Small
Lemens	Spears
Moore	Stone
Neal	Van Zandt
Nelson	

Nays—10.

Burns	Sulak
Cotten	Weinert
Head	Westerfeld
Isbell	Winfield
Roberts	Woodruff.

Senate Resolution No. 82.

Senator Woodruff, by unanimous consent, offered the following resolution:

Be It Resolved, That J. W. Wood be paid Five Dollars (\$5.00) for his services in mimeographing H. B. No. 5, the order of and with the approval of the chairman of the Senate Com-

mittee on Contingent Expenses, out of the Contingent Expense Fund.

The resolution was read and was adopted at this time by unanimous consent of the Senate.

Senate Concurrent Resolution No. 61.

Senator Woodruff, by unanimous consent, offered the following resolution:

Be It Resolved, By the Senate of the Forty-fifth Legislature of the State of Texas, the House of Representatives concurring, That the joint rules of the House and Senate for the Forty-fourth Legislature shall be and constitute the joint rules of the two Houses for the Forty-fifth Legislature, with the following exceptions, to-wit:

Amend Joint Rules Nos. 22 and 23 of the Forty-fourth Legislature so as to read hereafter as follows:

No. 22. In the Senate, on Wednesday and Thursday of each week, only House Bills on their third and second readings, respectively, shall be taken up and considered until finally disposed of, and in case one should be pending at adjournment, it shall go over to the succeeding day as unfinished business; and House Bills on their third and second readings, respectively, the subject matter of which has been submitted by the Governor for emergency consideration shall take precedence over and be disposed of prior to any other House Bills or resolutions pending in the Senate; and this rule cannot be suspended without the consent of the House.

No. 23. In the House, on Wednesday and Thursday of each week, only Senate Bills on their third and second readings, respectively, shall be taken up and considered until finally disposed of, and in case one should be pending at adjournment, it shall go over to the succeeding day as unfinished business; and Senate Bills on their third and second readings, respectively, the subject matter of which has been submitted by the Governor for emergency consideration shall take precedence over and be disposed of prior to any other Senate Bills or resolutions pending in the House; and this rule cannot be suspended without the consent of the Senate.

The resolution was read and was referred by the Presiding Officer to the Committee on Rules.

Senate Bill No. 45 on Second Reading.

The Presiding Officer laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 45, A bill to be entitled "An Act providing a school census code for the State of Texas; amending Article 2816 of the Revised Civil Statutes of Texas of 1925, relating to the taking of census; amending Article 2817 of the Revised Civil Statutes of Texas of 1925, relating to the duty of census trustee; amending Article 2818 of the Revised Civil Statutes of Texas of 1925, as amended by the Forty-second Legislature, Second Called Session, Chapter 24, relating to county line districts; amending Article 2819 of the Revised Civil Statutes of Texas of 1925, relating to duty of county superintendent; amending Article 2820 of the Revised Civil Statutes of Texas of 1925, relating to duty of State Superintendent; amending Article 2821 of the Revised Civil Statutes of Texas of 1925, relating to compensation; amending Article 2696 of the Revised Civil Statutes of Texas of 1925, as amended by the Forty-fourth Legislature, Regular Session, Acts of 1935, relating to application to transfer; amending Article 2698 of the Revised Civil Statutes of Texas of 1925 and as amended by the Forty-second Legislature, First Called Session, Chapter 37, Acts of 1931, relating to emergency transfers; repealing Article 2822 of the Revised Civil Statutes of Texas of 1925, relating to independent districts and appointment of census trustees; repealing Article 2817a of the Revised Civil Statutes of Texas of 1925, Acts of the Forty-second Legislature, 1931, Regular Session, Chapter 33, relating to who shall make oath; providing for birth certificates and annual growth; providing for transfers in equalization districts; prohibiting supplements; and declaring an emergency."

The bill was read second time.

Senator Van Zandt offered the following (committee) amendments to the bill:

(1)

Amend S. B. No. 45, Section 4, Article 2819, by adding after the words "if required by the State Superintendent," the following, "and the State Board of Education."

(2)

Amend S. B. No. 45, Section 4, Article 2819, by striking from said Section the following words, "if he deems it necessary he may reject any roll and appoint another census trustee to take the census of the district in which case he shall not approve the warrant to pay the census trustee whose work has been rejected."

(3)

Amend S. B. No. 45 by adding to Section 4 the following: "with the approval of the State Board of Education."

(4)

Amend S. B. No. 45, Section 5, Article 2820, by adding after the words "the State Superintendent" where same appears in lines one and two of the following, "with the approval of the State Board of Education."

(5)

Amend S. B. No. 45, Section 6, by striking out all of Article 2821 and substituting in lieu thereof the following:

Article 2821. (Compensation).—For their services, the census trustees shall receive not to exceed ten cents per capita on the children of scholastic age. All of said fees, their amounts and their payments shall be fixed by the local boards of school trustees in all districts. Any violation of the provisions of this section shall constitute a violation of law and upon proof of guilt shall be considered misappropriation of public funds. The county superintendent shall receive one cent per capita of the scholastic population reported by him, but this one cent per capita shall not be paid by any district where said county superintendent does not, at the time of the final passage and approval of this act, receive said one cent per capita because of said district paying a per capita assessment to a county equalization fund or a per capita assessment for operating expenses of

county superintendent's office. These amounts shall not be paid until the census of the county is accepted by the State Superintendent and State Board of Education, and shall be forfeited as follows: Both the county superintendent's and the trustee's compensation if the census of the county is rejected and ordered by the State Superintendent and the State Board to be retaken.

(6)

Amend S. B. No. 45, Section 7, Article 2822, by adding after the words, "State Superintendent" where it appears therein the following, "upon approval by the State Board of Education."

(7)

Amend S. B. No. 45, Section 8, Article 2696, by adding after the words "State Superintendent," wherever they appear in said Section the following, "with the approval of the State Board of Education."

The (committee) amendments were adopted severally.

Question—Shall the bill be passed to engrossment?

House Bill No. 726 on Second Reading.

On motion of Senator Spears, and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 726, A bill to be entitled "An Act (1 and 2) to create and establish San Antonio River Canal and Conservancy District under authority of Section 59 of Article XVI of the Constitution of Texas, to be a Governmental agency, a body politic, municipal and corporate; also stating the intent and defining certain words and expressions as used in this Act; (3) designating the area to be embraced in the District and making provision for excluding lands from, or adding lands to, the area of the district and prescribing the manner for so doing; etc., and providing a day upon which this Act is to be effective."

(President in the Chair.)

The President laid the bill before the Senate.

On motion of Senator Spears and by unanimous consent, Senate Rule No. 31a was suspended to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 726 on Third Reading.

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 726 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff.
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield

Nays—1.

Woodruff

Bills and Resolution Signed.

The President Pro Tempore signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and joint resolution:

S. B. No. 193, "An Act authorizing private corporations heretofore incorporated for the purpose of operating street or interurban railways to amend their charters so as to include as an additional purpose of the corporations the acquiring, owning and operating of motor vehicles and motor buses for transportation of passengers for hire upon the public streets and public ways of cities and towns and upon the public ways of the adjacent unincorporated territory within five miles from the limits of such cities and towns, under such reasonable regulations and requirements as to rates and service and as to franchises or permits as may be legally imposed from time to time by such cities and towns within the limits thereof, and by the commissioners' court of counties as to operations outside of the limits of such cities and towns, and declaring an emergency."

S. B. No. 386, "An Act creating the Panhandle Water Conservation Authority as a body politic and corporate, defining its boundaries, specifying its powers and duties, providing for its officers and the amount and manner of compensating same and their duties and powers; providing for the diversion of certain State ad valorem taxes, and declaring an emergency."

S. J. R. No. 16, Proposing an amendment to Article III, Section 52, of the Constitution of the State of Texas by adding thereto a new section to be known as Section 52d; providing that the Legislature may authorize by law, after a majority vote of the resident qualified electors owning taxable property therein, the adoption of a plan for the construction of paved roads and bridges or both in any county or road district of the State; providing for the levy of a tax to pay for such construction; providing for the necessary proclamation; and appropriating funds to defray the expenses of the proclamation, publication, and election.

S. B. No. 80, "An Act authorizing and empowering all water improve-

ment districts created and organized under Chapter 2 of Title 128, Revised Civil Statutes of Texas, to levy, assess and collect an annual tax not to exceed twenty (20) cents on taxable properties situated in the boundaries of such districts, provided such districts have sold sufficient of its bonds to pay for the obtaining and have obtained by the erection of a dam or dams or otherwise its water supply needed for the purpose of its creation, and have exhausted the moneys obtained from such bond sales, and are unable to obtain revenues for necessary repairs to its properties and to maintain and protect same and to meet any reasonable or necessary contingent or legal expense incurred in behalf of such districts; and to validate all taxes for all of said purposes levied or assessed by any water improvement district since the year 1931, when levied and assessed under such circumstances; but providing that the authority to raise such fund by taxation to meet such expense shall cease when available funds for such purposes are otherwise reasonably obtainable; and declaring an emergency."

S. B. No. 113, "An Act to amend Chapter 209 of the Acts of the Regular Session of the Forty-third Legislature so as to define the rights and duties of the State Board of Education to exact of school districts and cities and towns which have assumed control of public schools located therein the performance of certain prescribed duties in instances wherein all or any part of the bonds of such districts, cities or towns are owned by the permanent school fund; prescribing the duties of such districts, cities and towns and the rights of bondholders in such instances; prescribing the duties of the Comptroller of Public Accounts in reference thereto; providing for suspension of payments of available and rural aid school funds to such districts, cities and towns as are delinquent; conferring on the State Board of Education authority to cause the resumption of such payments in the manner herein prescribed; conferring on the State Board of Education discretion as to application of moneys remitted for bond purposes; declaring this Act to be cumulative; providing that to the extent that the provisions of this Act are in conflict with other laws, the

provisions of this Act shall prevail; providing that in event any sentence, clause or provision contained herein shall be invalid, such partial invalidity shall not affect other provisions of this Act, and declaring an emergency."

S. B. No. 141, "An Act making certain emergency appropriations for the office of the Secretary of State, and declaring an emergency."

Recess.

On motion of Senator Oneal, the Senate, at 12:10 o'clock p. m., took recess to 2:30 o'clock p. m. today.

Afternoon Session.

The Senate met at 2:30 o'clock p. m. and was called to order by the President.

Senator Holbrook raised the point of order that there is not a quorum present.

The Secretary was directed to call the roll to ascertain whether or not a quorum was present.

The roll was called and 20 Senators answered to their names.

Senator Aiken moved a call of the Senate for the purpose of securing a quorum, and the call was not seconded.

Subsequently, three additional Senators appeared in the Senate chamber and were recorded present.

A quorum was announced present.

Senate Bill No. 45 on Engrossment.

The Senate resumed consideration of pending business, same being S. B. No. 45, relating to apportionment of aid to public schools, on its passage to engrossment.

Senator Aiken offered the following amendment to the bill:

Amend S. B. No. 45, page 2 by striking out all of Subsection (a) and (b) of Section 2.

(Senator Stone in the Chair.)

Senator Van Zandt moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—17.

Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Spears
Isbell	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield
Rawlings	

Nays—9.

Aikin	Newton
Beck	Small
Hill	Stone
Holbrook	Woodruff
Lemens	

Present—Not Voting.

Davis	Oneal
Neal	Westerfeld

Absent.

Head

(President in the Chair.)

Senator Nelson offered the following amendment to the bill:

Amend S. B. No. 45, page 5, line 2, by striking out the words:

"Prior to September first."

And substituting therefor the following:

"Prior to December 31st."

Question.—Shall the amendment be adopted?

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has reconsidered the vote by which the conference report on H. J. R. No. 2 was adopted. The House has rejected the Conference Committee report on H. J. R. No. 2 by a vote of 100 yeas and 32 nays. The following are new conferees ordered appointed on the part of the House:

Messrs. Stinson, Moffett, Worley, Roark, and Davisson of Eastland.

The House has adopted the following resolution:

H. C. R. No. 110, Granting Floyd Arnwine permission to bring suit against the State of Texas for personal damages.

The House has concurred in Senate amendments to H. B. No. 275 by a vote of 122 yeas, 0 nays.

The House has concurred in Senate amendments to H. B. No. 1071 by a vote of 128 yeas, 0 nays.

The House has adopted the Conference Committee report on H. B. No. 765 by a vote of 126 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolutions Signed.

The President signed in the presence of the Senate, after giving due notice thereof, the following bills and resolutions:

H. C. R. No. 81, Granting Cleo Fletcher the right to sue the State of Texas.

H. C. R. No. 114, Authorizing the Enrolling Clerk of the House to correct the caption of H. B. No. 654.

H. B. No. 137, "An Act authorizing trustees of common school districts and common consolidated school districts to make contracts with superintendents and principals providing for the length of time of such employment, and declaring an emergency."

H. B. No. 146, "An Act amending Article 5142 of the Revised Civil Statutes of 1925, as amended by the Acts of 1927, Fortieth Legislature, Chapter 228; providing for juvenile officers; providing for their selection, compensation, expenses, and prescribing their duties; providing for the assistants; providing all things necessary and incident to the main purpose of this Act, and declaring an emergency."

H. B. No. 392, "An Act amending Article 1436, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 441, "An Act to amend Article 7063, Revised Civil Statutes of 1925, as amended by H. B. No. 8, Chapter 495, Article IV, Acts of the Third Called Session of the Forty-fourth Legislature of 1936; and to repeal Section 17, Chapter 40, Acts

of the Forty-first Legislature, First Called Session, as related to the payment of taxes, etc."

H. B. No. 1008, "An Act to amend Article 1302, Title 32, of the Revised Civil Statutes of Texas, of 1925, by adding another subdivision thereto authorizing private corporations to be created for the purpose of providing for the registration, preservation of the purity of blood, and improvement in the breeding of any species or class of livestock, and to keep, maintain and publish in suitable form the history, record and pedigree thereof, and declaring an emergency."

H. B. No. 1091, "An Act validating the creation and organization of independent school districts, and validating the action of any County Board of Trustees with reference to the creation of school districts out of another independent school district, making this Act applicable to certain counties according to the last preceding Federal Census, and providing that no part of this Act shall affect any litigation now pending, and that only Acts passed by four-fifths majority of the County Board of Trustees shall be valid, and declaring an emergency."

H. B. No. 1108, "An Act amending Article 2327, Revised Civil Statutes of Texas, 1925, as amended by Chapter 59, Acts of the Forty-first Legislature, Second Called Session, and declaring an emergency."

H. B. No. 1115, "An Act to validate the organization and creation of all county line rural high school districts, created by General Law or by County Boards of Trustees; validating the Acts of said County Boards of Trustees and Boards of Trustees of such districts; etc., and declaring an emergency."

H. B. No. 1137, "An Act appropriating any and all of unexpended balances remaining of that certain appropriation made by the Forty-fourth Legislature, Regular Session, 1935, Section Seven (7) of Chapter 131, being S. B. No. 467, as shown by the Acts of said Session, page 359, et seq., for the location, establishment, erection, equipment and completion of a tuberculosis sanatorium for Negroes to be known as the State Tuberculosis Sanatorium for Negroes; providing the rules and

regulations governing the expenditure thereof, and declaring an emergency."

H. B. No. 893, "An Act to amend Section 6 of H. B. No. 303, Chapter 245, page 856 of the Acts of the Regular Session of the Forty-third Legislature as amended by H. B. No. 373; Chapter 264, page 651 of the Acts of Regular Session of the Forty-fourth Legislature to exempt from the provisions thereof associations which are not operated for profit and which pay no salaries or commissions to anyone and which limit their membership to employees and the families of employees of any designated firm, corporation or individual; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Request of House Refused.

Senator Weinert moved that the request of the House for a free conference committee to adjust the differences between the two Houses on H. J. R. No. 2 be refused.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—22.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Davis	Shivers
Head	Small
Holbrook	Stone
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield

Nays—7.

Cotten	Sulak
Hill	Van Zandt
Lemens	Woodruff
Spears	

Absent.

Isbell	Newton
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Senator Moore moved to reconsider the vote by which the motion of Senator Weinert prevailed.

Senator Shivers moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—22.

Aikin	Nelson
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Head	Small
Holbrook	Stone
Isbell	Weinert
Moore	Westerfeld
Neal	Winfield

Nays—7.

Hill	Sulak
Lemens	Van Zandt
Oneal	Woodruff
Spears	

Absent.

Davis	Newton
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Senate Bill No. 505 on First Reading.

Senator Collie moved that the rule limiting the time for introduction of certain bills to the first 45 days of the Session be suspended, to permit the introduction at this time of a general bill.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The following bill then was introduced, read first time and referred to the Committee on Educational Affairs:

By Senator Collie:

S. B. No. 505, A bill to be entitled "An Act amending Article 2797, Revised Civil Statutes of Texas; and declaring an emergency."

**Report of Conference Committee
on House Bill No. 765.**

Senator Van Zandt submitted the following report of the free conference committee on H. B. No. 765:

Austin Texas, April 20, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.
Hon. Walter F. Woodul, President of the Senate.

Gentlemen: We, your Conference Committee, appointed to adjust differences between the House and Senate on H. B. No. 765, have had same under consideration, and beg leave to report that we recommend the passage of said H. B. No. 765 in the form attached hereto.

Respectfully submitted,

VAN ZANDT,
BECK,
PACE,
NEAL,
WINFIELD.

On the part of the Senate.

FIELDEN,
HARPER,
CELAYA,
WAGGONER.

On the part of the House.

By Fielden. H. B. No. 765.

**A BILL
To Be Entitled**

An Act amending Article 2350 of the Revised Civil Statutes of 1925 as amended by Chapter 362, Acts of the 44th Legislature, so as to add thereto a new section to be known as 2350(4); providing for the salaries of Commissioners in certain counties; providing for actual and necessary expenses for Commissioners in the conduct of office in certain counties; providing for approval thereof; fixing population and assessed valuation as brackets therein; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2350, as amended by Chapter 362, Acts of the 44th Legislature, Regular Session, be amended so as to add thereto a new section to be known as Section 2350(4), and to hereafter read as follows:

"2350(4). In all counties in this State having a population of not less than ten thousand three hundred and seventy (10,370) and not more than

ten thousand four hundred and seventy-five (10,475) according to the last preceding Federal Census, County Commissioners shall receive an annual salary of one thousand two hundred (\$1,200) dollars, payable in twelve (12) monthly installments out of such funds belonging to such counties as is now provided by law; In all counties having a population of not less than nine thousand seven hundred and fifteen (9,715) and not more than ten thousand and sixty (10,060) according to the last preceding Federal Census, County Commissioners shall receive an annual salary of nine hundred (\$900) dollars, payable in twelve (12) equal monthly installments out of such funds belonging to such counties as is now provided by law, and the salaries herein fixed is in lieu of the compensation for such Commissioners as is now provided by law. In all counties having a population of not less than twenty four thousand and sixty-five (24,065) and not more than twenty-four thousand one hundred and eighty-five (24,185) according to the last preceding Federal Census, County Commissioners shall receive an annual salary of one thousand eight hundred (\$1,800) dollars, payable in twelve (12) equal monthly installments out of such funds belonging to such counties as is now provided by law. Providing that the salaries and compensation of each of the County Commissioners in counties having a taxable valuation of not less than forty-seven million (\$47,000,000) dollars, according to the last available approved tax rolls for such counties, and having a population of not more than seven thousand eight hundred and forty-five (7,845) according to the last Federal Census, shall be not to exceed three thousand six hundred (\$3,600) dollars per annum, payable in equal monthly installments. Providing that the salaries and compensation of the County Commissioners in counties with a taxable valuation of not less than thirty million (\$30,000,000) dollars, and not more than forty million (\$40,000,000) dollars according to the tax rolls as prepared by the assessor and collector of taxes of the respective counties for the preceding year, and having within their boundaries two incorporated cities of more than thirteen thousand and five hundred (13,500) population each, according to the last preceding Federal Census, shall be not to ex-

ceed two thousand four hundred (\$2,400) dollars annually, payable in equal monthly installments; and in addition to their regular salaries each of such commissioners shall receive their actual and necessary expenses incurred in the conduct of their offices in an amount not to exceed fifty (\$50.00) dollars per month, payable out of the Road and Bridge Fund of such counties on sworn claims, and approved by the County Auditor of such counties. Providing that in all counties in this State having a population of not less than forty-one thousand (41,000) and not more than forty-two thousand (42,000) according to the last preceding Federal Census, the County Commissioners shall in addition to their regular salaries as now provided by law receive their actual and necessary expenses incurred in the conduct of their office in an amount not to exceed fifty (\$50.00) dollars per month, payable out of the Road and Bridge Fund of such counties on sworn claims and approved by the County Auditor of such Counties."

Sec. 2. The fact that members of the Commissioners Court are greatly under paid and the further fact that the amount of work encumbered upon said officers is daily increasing, create an emergency and an imperative public necessity requiring that the Constitutional Rule requiring that bills be read on three several days be suspended, and the same is hereby suspended, and this Act shall become effective from and after its passage, and it is so enacted.

Senator Van Zandt moved that the report be adopted.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Message From the House.

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that Mr. Baker has been named on the Conference Committee on H. J. R. No. 2, taking the place of Mr. Roark, resigned.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 999 on Second Reading.

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 999, A bill to be entitled "An Act validating the incorporation of certain cities and towns of more than six hundred (600) and less than two thousand (2,000) inhabitants which have heretofore incorporated under the General Laws of Texas, Title 28, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The President laid the bill before the Senate and it was read second time.

Senator Moore offered the following committee amendments to the bill:

(1)

Amend H. B. No. 999 by adding to the end of Section 1 the following:

"The provisions of this Act shall apply only to cities and towns incorporated since January 1, 1935."

(2)

Amend the caption of H. B. No. 999 by adding immediately before the words, "and declaring an emergency," the words:

"provided that this Act shall apply only to cities and towns incorporated since Jan. 1, 1935."

The (committee) amendments were adopted severally.

H. B. No. 999 was passed to third reading.

House Bill No. 999 on Third Reading.

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 999 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

House Bill No. 1010 on Second Reading.

On motion of Senator Oneal and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 1010, A bill to be entitled "An Act establishing a county law library in counties in this State having three or more district courts sitting for all of its terms or some of its terms with both civil and criminal jurisdiction, none of which have more than four terms a year and one which sits and has jurisdiction in not less than two other counties; providing a fund to be administered by the commissioners' court to be raised by collecting \$1.00 as costs in each case filed in any of said courts in said county except delinquent tax suits and including all civil and criminal county courts or district courts; providing, however, that the county shall in no event be liable for any cost in any civil or criminal case; providing for a custodian or librarian and his salary; providing for housing and management, and declaring an emergency."

The President laid the bill before the Senate, it was read second time and was passed to third reading.

House Bill No. 1010 on Third Reading.

Senator Oneal moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1010 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff.
Newton	

(Senator Aikin in the Chair.)

House Bill No. 126 on Second Reading.

On motion of Senator Holbrook and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 126, A bill to be entitled "An Act providing that county courts without the necessity of trial by jury may temporarily commit mentally-ill persons not charged with criminal offense to State mental hospitals, for not exceeding ninety days for observation and/or treatment; providing temporary commitment may also be made to United States Veterans Bureau and other United States Government operated hospitals in those cases where such agency of the United States will accept such mentally-ill persons; providing the adjudication of mental illness, the temporary commitment of persons so afflicted, and their discharge, furlough and release; providing for the payment of their transportation, support and treatment charges protecting property rights; providing that if any portion of the Act is declared unconstitutional and invalid it shall not affect the remaining parts, and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to third reading.

House Bill No. 126 on Third Reading.

Senator Holbrook moved that the constitutional rule requiring bills to

be read on three several days be suspended and that H. B. No. 126 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff.
Newton	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff.
Newton	

House Bill No. 1074 on Second Reading.

On motion of Senator Burns and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 1074, A bill to be entitled "An Act to change and prescribe the time for holding district court of the Ninth Judicial District of the State of Texas; and to conform all writs

and processes of such court to such changes, and make all writs and processes issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties in said district, as herein fixed, and to validate the summoning of grand and petit jurors, and juries; and providing for the continuation of court in session in said district when this Act takes effect, to the end of its term; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to third reading.

House Bill No. 1074 on Third Reading.

Senator Burns moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1074 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff.
Newton	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Davis
Beck	Head
Brownlee	Hill
Burns	Holbrook
Collie	Isbell
Cotten	Lemens

Moore	Small
Neal	Spears
Nelson	Stone
Newton	Sulak
Oneal	Van Zandt
Pace	Weinert
Rawlings	Westerfeld
Redditt	Winfield
Roberts	Woodruff.
Shivers	

Senate Bill No. 492 on Second Reading.

On motion of Senator Newton and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment:

S. B. No. 492, A bill to be entitled "An Act providing that Limestone County, Texas, may fund or refund the indebtedness outstanding against its Permanent Improvement Fund as of May 1, 1937; setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all Acts and proceedings heretofore had by the commissioners' court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; and providing that this law shall be cumulative of General Law pertaining to funding and refunding bonds not in conflict herewith; repealing all laws in conflict herewith; and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to engrossment.

Senate Bill No. 492 on Third Reading.

Senator Newton moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 492 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Davis
Beck	Head
Brownlee	Hill
Burns	Holbrook
Collie	Isbell
Cotten	Lemens

Moore	Small
Neal	Spears
Nelson	Stone
Newton	Sulak
Oneal	Van Zandt
Pace	Weinert
Rawlings	Westerfeld
Redditt	Winfield
Roberts	Woodruff
Shivers	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

House Bill No. 1122 on Second Reading.

On motion of Senator Woodruff and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 1122, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 35, Acts of the Fortieth Legislature, First Called Session as amended by Chapter 28, Acts of the Forty-first Legislature, First Called Session, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session by adding thereto a new Section to be known as Article 1645a providing for county auditors in counties containing a population of not less than 19,150, nor more than 19,175 according to the last preceding Federal Census providing for their compensation and the fund from which it shall be paid, and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to third reading.

House Bill No. 1122 on Third Reading.

Senator Woodruff moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Senate Bill No. 471 on Second Reading.

On motion of Senator Spears and by unanimous consent, the regular order of business was suspended, to

take up and have placed on its second reading and passage to engrossment:

S. B. No. 471, A bill to be entitled "An Act empowering and authorizing cities and towns in the State of Texas having a population in excess of 230,000 and not exceeding 232,000, according to the last preceding or any future Federal Census, to enact ordinances governing operation of all motor vehicles upon the public thoroughfares of such cities; providing that said ordinances may require testing and inspecting such motor vehicles at stated times and approval by the testing and inspecting authorities, including the State Highway Patrol; providing certain exceptions thereto; permitting the fixing of penalties for violating said ordinances; authorizing city patrolmen and State Highway patrolmen in uniform to issue traffic tickets for violations of said ordinances; authorizing such cities to acquire, establish, erect, equip, improve, enlarge, repair, operate, and maintain motor vehicle testing stations to prescribe and collect a fee for such tests and for the disposition of such fees; authorizing said cities to mortgage or encumber said stations to borrow money and issue warrants to finance said stations and to pledge said fees and receipts for payment of said indebtedness; providing a saving clause; repealing all conflicting laws, and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to engrossment.

Senate Bill No. 471 on Third Reading.

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 471 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Alkin	Davis
Beck	Head
Brownlee	Hill
Burns	Holbrook
Collie	Isbell
Cotten	Lemens

Moore	Small
Neal	Spears
Nelson	Stone
Newton	Sulak
Oneal	Van Zandt
Pace	Weinert
Rawlings	Westerfeld
Redditt	Winfield
Roberts	Woodruff
Shivers	

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote: .

Yeas—31.

Alkin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Senate Bill No. 469 on Second Reading.

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment:

S. B. No. 469, A bill to be entitled "An Act creating a Special Road Law for Motley County, Texas, providing that said county may fund or refund the indebtedness outstanding against its road and bridge fund as of January 11, 1937, by the issuance of funding bonds, and setting forth the method of operation; providing that the General Laws pertaining to roads and bridges shall be applicable to said county, when not in conflict with the provisions hereof; repealing all laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to engrossment.

Senate Bill No. 469 on Third Reading.

Senator Nelson moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 469 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Committee Substitute for House Bill No. 1116 on Second Reading.

On motion of Senator Pace and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

C. S. for H. B. No. 1116, A bill to be entitled "An Act making it unlawful for any citizen of this State not a resident of McLennan County to catch or attempt to catch any fish from the waters of McLennan County without having first procured a fishing license, excepting those under seventeen (17) years of age; etc., and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to third reading.

Committee Substitute for House Bill No. 1116 on Third Reading.

Senator Newton moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. for H. B. No. 1116 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Nays—1.

Weinert

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—11.

Davis	Oneal
Holbrook	Pace
Lemens	Small
Moore	Spears
Neal	Winfield
Newton	

Nays—10.

Aikin	Burns
Brownlee	Collie

Cotten	Rawlings
Hill	Sulak
Isbell	Weinert

Present—Not Voting.

Nelson	Van Zandt
Shivers	

Absent.

Beck	Stone
Head	Westerfeld
Redditt	Woodruff
Roberts	

(President in the Chair.)

House Bill No. 982 on Second Reading.

On motion of Senator Shivers, and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 982, A bill to be entitled "An Act amending Section 1 of Chapter 129, page 356, Acts of the Regular Session of the Forty-fourth Legislature; repealing all laws or parts of laws, in conflict herewith, and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Shivers, and by unanimous consent, Senate Rule No. 31a was suspended to permit consideration of the bill at this time.

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 982, Sec. 1, by striking out "fifty dollars" and inserting in lieu thereof "one hundred dollars."

And amend caption accordingly.

The amendment was adopted.

Senator Lemens offered the following amendment to the bill:

Amend H. B. No. 982 by inserting after the word "each" on page 1, line 22, the following:

"and in counties having a population of not less than 43,000 and not more than 43,075."

The amendment was adopted.

H. B. No. 982 was passed to third reading.

House Bill No. 982 on Third Reading.

Senator Shivers moved that the constitutional rule requiring bill to

be read on three several days be suspended and that H. B. No. 982 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Committee Substitute for House Bill No. 1117 on Second Reading.

On motion of Senator Pace, and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

C. S. for H. B. No. 1117, A bill to be entitled "An Act making it unlawful for any citizen of this State to hunt with a gun in McLennan County without first procuring a general hunting license and providing certain exemptions; providing the fees for such licenses and the fee to be retained by the collecting officer; providing the disposition of funds collected under this Act; providing a penalty for any violation of this Act; declaring an emergency and the effective date of this Act."

The Presiding Officer laid the bill before the Senate.

On motion of Senator Pace, and by unanimous consent, Senate Rule No. 31a was suspended to permit consideration of the bill at this time.

The bill was read second time.

Question—Shall the bill be passed to third reading?

Yeas and nays were demanded and the bill was passed to third reading by the following vote:

Yeas—14.

Brownlee	Oneal
Davis	Pace
Holbrook	Roberts
Lemens	Small
Moore	Spears
Neal	Stone
Newton	Winfield

Nays 13.

Aikin	Isbell
Beck	Nelson
Burns	Rawlings
Collie	Redditt
Cotten	Van Zandt
Head	Weinert
Hill	

Absent.

Shivers	Westerfeld
Sulak	Woodruff

Motion to Suspend Constitutional Rule.

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1117 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—20.

Beck	Newton
Brownlee	Oneal
Cotten	Pace
Davis	Rawlings
Hill	Redditt
Holbrook	Small
Lemens	Spears
Moore	Stone
Neal	Winfield
Nelson	Woodruff

Nays—8.

Aikin	Isbell
Burns	Sulak
Collie	Van Zandt
Head	Weinert

Absent.

Roberts	Westerfeld
Shivers	

House Bill No. 410 on Second Reading.

On motion of Senator Hill and by unanimous consent, the regular order of business was suspended to take

up and have placed on its second reading and passage to third reading:

H. B. No. 410, A bill to be entitled "An Act providing that County Commissioners' Courts of this State in conjunction with municipal governments of incorporated cities of population exceeding 15,000 at the last preceding Federal Census, where said cities are county seats of counties may appoint case-workers and investigators to make investigations of needy persons to whom may be supplied necessities furnished by the Texas Relief Commission, and proper Federal agency, or by counties and cities, or any one of said agencies, commission cities or counties; provided said counties and municipalities may pay not to exceed Twelve Hundred (\$1,200.00) Dollars per annum salary to such case-worker and investigator; providing the duties and qualifications of said case-workers and investigators, and declaring an emergency."

The Presiding Officer laid the bill before the Senate and it was read second time.

Senator Beck offered the following amendment to the bill:

Amend H. B. No. 410, Section 4a, so as to hereafter read as follows:

Sec. 4a. Provided that the provisions of this Act shall apply to counties with a population of not less than forty-eight thousand, nine hundred (48,900) nor more than forty-eight thousand, nine hundred and seventy-five (48,975), and counties with a population of not less than ten thousand, three hundred and seventy (10,370) and not more than ten thousand three hundred and eighty (10,380), according to the last preceding Federal Census.

The amendment was adopted.

The bill was passed to third reading.

House Bill No. 410 on Third Reading.

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 410 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Davis	Redditt
Head	Roberts
Hill	Shivers
Holbrook	Small
Isbell	Spears
Lemens	Stone
Moore	Sulak
Neal	Van Zandt
Nelson	Weinert
Newton	Westerfeld
Oneal	Winfield
Pace	Woodruff
Rawlings	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30.

Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Nays—1.

Aikin

House Bill No. 669 on Second Reading.

On motion of Senator Holbrook and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 669, A bill to be entitled "An Act repealing Article 726a, Chapter 3 of the Penal Code, being page 52, Chapter 29, of the General and Special Laws of the Forty-third Legislature, Third Called Session, and declaring an emergency."

The President laid the bill before the Senate, it was read second time and was passed to third reading:

House Bill No 669 on Third Reading.

Senator Holbrook moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and that H. B. No. 669 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Hill	Spears
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Nays—1.

Stone

Absent.

Head

Senate Bill No. 505 on Second Reading.

Senator Collie, by unanimous consent, moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 505 be placed on its second reading and passage to engrossment.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President laid the bill before the Senate.

On motion of Senator Collie and by unanimous consent, Senate Rule No. 31a was suspended to permit consideration of the bill at this time.

The bill was read second time and was passed to engrossment.

Senate Bill No. 505 on Third Reading.

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 505 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Senate Bill No. 497 on Second Reading.

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment:

S. B. No. 497, A bill to be entitled "An Act amending the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature, by adding a new Section to be known as Section 14-a, to provide that nothing in Section 14 or elsewhere in said Act shall prohibit the district from acquiring property from or selling property to the City of Austin upon such terms and conditions, and entering into such contractual relations thereto, as the district and the city may mutually agree upon; and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Brownlee and by unanimous consent, Senate Rule No. 31a was suspended to permit consideration of the bill at this time.

The bill was read second time and was passed to engrossment.

Senate Bill No. 497 on Third Reading.

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 497 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Holbrook	Spears
Isbell	Stone
Lemens	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Nays—3.

Burns	Weinert
Hill	

Senate Bill No. 298 on Second Reading.

On motion of Senator Lemens and by unanimous consent, the regular order of business was suspended to take and have placed on its second reading and passage to engrossment:

S. B. No. 298, A bill to be entitled "An Act to make the laws of Texas relating to the National Guard compatible with the Constitution and Laws of the United States as required by Section 46 of Article 16 of the Constitution of Texas, by amending the following Articles of the Civil Statutes of Texas as revised

in the year 1925: Article 5780 so as to permit maintenance of all the troops allocated to Texas under Federal Laws, Article 5839 so as to make nomenclature conform to Federal Laws, and Article 5858 so as to make offenses condemned by military law and courts-martial procedure conform to that of Federal law and regulations; to repeal any and all laws in conflict herewith."

The President laid the bill before the Senate, it was read second time and was passed to engrossment.

Senate Bill No. 298 on Third Reading.

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 298 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin	Neal
Beck	Nelson
Brownlee	Newton
Burns	Oneal
Collie	Pace
Cotten	Rawlings
Davis	Redditt
Head	Roberts
Hill	Shivers
Holbrook	Small
Isbell	Spears
Lemens	Stone
Moore	Sulak

Van Zandt
Weinert
Westerfeld

Winfield
Woodruff

Senate Bill No. 489 on Second Reading.

On motion of Senator Head and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment:

S. B. No. 489, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not less than 4,750 and not more than 4,850, whether organized under general or special law, repealing all laws in conflict herewith, both general and special, and declaring an emergency."

On motion of Senator Head and by unanimous consent, Senate Rule No. 31a was suspended to permit consideration of the bill at this time.

The bill was read second time and was passed to engrossment.

Senate Bill No. 489 on Third Reading.

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 489 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Nays—1.

Oneal

House Bill No. 899 on Second Reading.

On motion of Senator Neal and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

H. B. No. 899, A bill to be entitled "An Act amending Article 5746, Revised Civil Statutes, of the State of Texas, 1925, as amended by the Acts of 1930, Forty-first Legislature, Fourth Called Session, page 12, Section 5, relating to co-operative marketing associations, and providing for the manner of determining the value of and payment for the interests of a member upon his death, expulsion or withdrawal or the forfeiture of his membership, in the event that no other provision is made therefor in the by-laws of such association, and declaring an emergency."

The President laid the bill before the Senate, it was read second time.

Senator Burns offered the following amendment to the bill:

Amend H. B. No. 899, page 3, line 34, by adding the following:

"Provided further that nothing in this Act shall alter, repeal, change, or modify the Anti-Trust Laws of this State, and if any section or sub-section of this Act is in violation of the Anti-Trust Laws, such section or sub-section shall fail and the Anti-Trust Laws, both civil and criminal, shall stand and prevail under said section or sub-section held to be and

is in contravention of the Anti-Trust Laws of this State."

The amendment was adopted.

H. B. No. 899 was passed to third reading.

House Bill No. 899 on Third Reading.

Senator Neal moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 899 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29.

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Davis	Spears
Head	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Nays—2.

Hill	Moore
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—22.

Beck	Pace
Brownlee	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Holbrook	Spears
Lemens	Stone
Neal	Sulak
Nelson	Van Zandt
Newton	Winfield

Nays—9.

Aikin	Oneal
Burns	Weinert
Hill	Westerfeld
Isbell	Woodruff
Moore	

House Bill No. 260 on Second Reading.

On motion of Senator Van Zandt and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 260, A bill to be entitled "An Act amending Article 5142A of the Revised Civil Statutes of Texas as adopted by the Forty-second Legislature, Acts, 1931, page 759, Chapter 302, paragraph 1, concerning the qualifications, duties, appointments, salaries, and removal of probation officers, and declaring an emergency."

The President laid the bill before the Senate and it was read second time.

Senator Van Zandt offered the following amendment to the bill:

Amend H. B. No. 260 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. That Article 5142 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 288, Acts of the 40th Legislature, Regular Session, be and the same is hereby amended so as to read as follows:

"Article 5142. (Probation Officers—Qualifications, duties, appointment, salaries and removal). There may be appointed in the manner hereinafter provided, discreet persons of good moral character to serve as juvenile officers, for periods not to exceed two years from the first of February of each odd year.

Such officer shall have authority and it shall be their duty to make investigations of all cases referred to them as such; to be present in court and to represent the interest of the juvenile when the case is heard and to furnish to the court any information and assistance as the court may require, and to take charge of any child before and after the trial and to perform such other services for the child as may be required by the court, and such juvenile officers shall be vested with all the power and authority of police officers or sheriffs incident to their offices.

The clerk of the court shall, when practicable, notify such juvenile officer when any juvenile is to be brought before the court. In counties having a population of less than

seventy-five thousand, one juvenile officer may be appointed by the county judge on the authority of the commissioners' court, when, in his opinion, such officer is needed, who shall receive a compensation not to exceed one hundred and twenty-five (\$125.00) dollars per month. Provided that in counties having a population of not less than thirty-five thousand (35,000), and not more than one hundred thousand (100,000), and containing a city of more than twenty-nine thousand (29,000) population, one juvenile officer may be appointed by the county judge on authority of the commissioners' court, when in his opinion the services of such officers is needed whose salary shall not exceed two hundred (\$200.00) dollars per month and expenses not to exceed two hundred (\$200.00) per year. The county judge shall select such juvenile officers from a list of three furnished by a nominating committee composed of three members as follows: The county superintendent of public instruction, and the superintendents of the two largest school districts in such county.

Provided that in counties having a population of more than one hundred thousand (100,000) and less than one hundred and fifty (150,000) thousand, the county judge may appoint a juvenile officer subject to the approval of the commissioners' court, for a period not to exceed two years from the first day of February of each odd year, at a salary not to exceed two hundred and fifty (\$250.00) dollars per month, and expenses not to exceed two hundred (\$200.00) dollars per month, and expenses not to exceed two hundred (\$200.00) dollars per year. Such juvenile officers may select assistant juvenile officers, subject to the approval of the commissioners' court and the county judge, the number not to exceed one assistant juvenile officer to each twenty-five thousand population. The salaries of such assistant juvenile officers shall be the same as that fixed by the General Law, in Article 3902 Revised Civil Statutes of Texas, for assistants to other county officials. Such assistant juvenile officers may be allowed expenses, each not to exceed two hundred (\$200.00) per year.

Provided that in counties having

a population of one hundred fifty thousand (150,000) or more, and containing a city of one hundred thousand (100,000) or more, the county judge may appoint a juvenile board, to serve for a period not to exceed two years from the date of appointment, and whose extra duties shall be to make investigations for the commissioners' court on applications for charity, or admittance into detention homes or orphan homes created by such counties. The salary of such juvenile officer shall not exceed three hundred (\$300.00) dollars per month, his allowance for expenses not to exceed two hundred (\$200.00) a year. Such juvenile officer may select assistant juvenile officers subject to the approval of the county judge and the county juvenile board, the number of such assistant juvenile officers not to exceed one assistant to each twenty-five thousand (25,000) population. The salaries of such assistant juvenile officers shall be the same as that fixed by the General Law in Article 3902 of the Revised Civil Statutes of Texas, 1925, for assistants to other county officials. Such assistant juvenile officers may be allowed expenses not to exceed two hundred (\$200.00) dollars per year each.

In the appointment of all juvenile officers, the county judge and the county juvenile board may select for such office any school attendance officer or officers of the county, or of school districts in the county, that may be authorized by law, and the salary and expenses of such joint juvenile officer or officers and attendance officers shall be paid jointly by the county and school authorities upon any basis of division they may agree upon.

Salaries of paid juvenile officers and their assistants shall be fixed by the commissioners' court, not to exceed the sums herein mentioned, and any bill for the expenses not exceeding the sums herein provided for, shall be certified by the county judge as being necessary in the performance of the duties of a juvenile officer. The commissioners' court of the county shall provide the necessary funds for the payment of salaries and expenses of the juvenile officers provided for in this Act. The appointment of said juvenile officers shall be filed in the office of the

clerk of the county court. Juvenile officers shall take oath to perform their duties and file such oath in the office of the county clerk. As a basis for reckoning the population of any county the preceding federal census shall be used.

Provided that any juvenile officer appointed under the provisions of this Act may be removed from office by the power appointing him, at any time.

Sec. 2. Emergency clause same as in original bill.

And amend the caption to conform.

The amendment was adopted.

H. B. No. 260 was then passed to third reading.

House Bill No. 260 on Third Reading.

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 260 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29.

Beck	Hill
Brownlee	Holbrook
Burns	Isbell
Collie	Lemens
Cotten	Moore
Davis	Neal
Head	Nelson

Newton	Stone
Pace	Sulak
Rawlings	Van Zandt
Redditt	Weinert
Roberts	Westerfeld
Shivers	Winfield
Small	Woodruff
Spears	

Nays—1.

Aikin

Present—Not Voting.

Oneal

(Senator Collie in the Chair.)

Senate Bill No. 491 on Second Reading.

On motion of Senator Westerfeld and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment:

S. B. No. 491, A bill to be entitled "An Act limiting the amount of money to be assessed against candidates for Congress in districts composed of one county, and declaring an emergency."

The Presiding Officer laid the bill before the Senate, and it was read second time.

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 491 by striking out "\$350.00" and inserting in lieu thereof "\$700.00."

On motion of Senator Westerfeld, the bill was tabled subject to call.

Senate Bill No. 498 on Second Reading.

On motion of Senator Spears and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment:

S. B. No. 498, A bill to be entitled "An Act amending Article 3935, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirtieth Legislature, 1925, providing for certain fees of office for justices of the peace; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The Presiding Officer laid the bill before the Senate, it was read second time and was passed to engrossment.

Senate Bill No. 498 on Third Reading.

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 498 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30.

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotton	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff

Nays—1.

Weinert

The Presiding Officer then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21.

Brownlee	Oneal
Burns	Pace
Collie	Rawlings
Cotton	Roberts
Head	Shivers
Hill	Spears
Isbell	Sulak
Moore	Van Zandt
Neal	Westerfeld
Nelson	Winfield
Newton	

Nays—8.

Aikin	Redditt
Davis	Stone
Holbrook	Weinert
Lemens	Woodruff

Absent.

Beck Small

(President in the Chair.)

House Bill No. 547 Re-referred.

Senator Woodruff moved that H. B. No. 547 be re-referred from the Committee on Agricultural Affairs to the Committee on Finance.

The motion prevailed.

Adjournment.

Senator Woodruff moved that Senate recess to 8 o'clock p. m. today.

Senator Rawlings moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion of Senator Rawlings prevailed; and the Senate, accordingly, at 5:45 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX.**Bills Filed in Department of State.**

Austin, Texas, May 1, 1937.

Hon. Bob Barker, Secretary of the Senate.

Dear Sir: I submit herewith a list of bills and resolutions passed by the Forty-fifth Legislature which were filed in this office Friday, April 30, 1937:

H. B. No. 452:

Vote in Senate, yeas 20, nays 8.

Vote in House, yeas 124, nays 0.

Date signed by the Governor, April 30, 1937.

Assuring you of my sincere pleasure in performing this service, I am

Yours very truly,

EDWARD CLARK,

Secretary of State.

By: M. E. SANDLIN,
Assistant Secretary of State.

Austin, Texas, May 3, 1937.

Hon. Bob Barker, Secretary of the Senate.

Dear Sir: I submit herewith a list of bills and resolutions passed by the Forty-fifth Legislature which were filed in this office Saturday, May 1, 1937:

S. B. No. 284:

Vote in Senate, yeas 25, nays 0.

Vote in House, yeas 121, nays 0.

Date signed by the Governor, May 1, 1937.

S. B. No. 289:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 120, nays 0.
Date signed by the Governor,
May 1, 1937.

S. B. No. 397.
Vote in Senate, yeas 27, nays 0.

Vote in House, yeas 117, nays 3.
Date signed by the Governor,
May 1, 1937.

S. B. No. 435:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 132, nays 2.
Date signed by the Governor,
May 1, 1937.

S. B. No. 470:
Vote in Senate, yeas 28, nays 2.
Vote in House, yeas 113, nays 0.
Date signed by the Governor,
May 1, 1937.

S. C. R. No. 58:
Vote in Senate, viva voce.
Vote in House, viva voce.
Date signed by the Governor,
April 29, 1937.

H. B. No. 291:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 112, nays 0.
Date signed by the Governor,
May 1, 1937.

H. B. No. 515:
Vote in Senate, yeas 30, nays 0.
Vote in House, viva voce.
Date signed by the Governor,
May 1, 1937.

H. B. No. 634:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 113, nays 0.
Date signed by the Governor,
May 1, 1937.

H. B. No. 653:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 115, nays 1.
Date signed by the Governor,
May 1, 1937.

H. B. No. 782:
Vote in Senate, yeas 29, nays 0.
Vote in House, yeas 119, nays 2.
Date signed by the Governor,
April 29, 1937.

H. B. No. 804:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 113, nays 0.
Date signed by the Governor,
May 1, 1937.

H. B. No. 846:
Vote in Senate, yeas 30, nays 0.
Vote in House, viva voce.
Date signed by the Governor,
May 1, 1937.

H. B. No. 938:
Vote in Senate, yeas 30, nays 0.

Vote in House, yeas 107, nays 0.
Date signed by the Governor,
May 1, 1937.

H. B. No. 1048:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 110, nays 2.
Date signed by the Governor,
May 1, 1937.

H. B. No. 1078:
Vote in Senate, yeas 31, nays 0.
Vote in House, yeas 116, nays 0.
Date signed by the Governor,
May 1, 1937.

H. B. No. 1088:
Vote in Senate, yeas 30, nays 0.
Vote in House, yeas 110, nays 5.
Date signed by the Governor,
May 1, 1937.

H. C. R. No. 112:
Vote in Senate, viva voce.
Vote in House, viva voce.
Date signed by the Governor,
May 1, 1937.

Assuring you of my sincere pleasure in performing this service, I am
Yours very truly,
EDWARD CLARK,
Secretary of State.
By: M. E. SANDLIN,
Assistant Secretary of State.

Reports of Standing Committees.

Committee Room,
Austin, Texas, May 3, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on
Commerce and Manufacturing, to
whom was referred

H. B. No. 58, A bill to be entitled
"An Act to protect trade-mark owners,
distributors, and general public
against injurious and uneconomic
practices in the distribution of
articles of standard quality under a
distinguished trade-mark, brand, or
name, and to facilitate fair trade; defining certain terms; providing if
any part of the Act is declared unconstitutional it shall not affect the
validity of the remainder of the Act;

providing the Act shall be called 'The Fair Trade Act'; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printd.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 497, A bill to be entitled "An Act amending the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature, by adding a new Section to be known as Section 14-a, to provide that nothing in Section 14 or elsewhere in said Act shall prohibit the district from acquiring property from or selling property to the City of Austin upon such terms and conditions, and entering into such contractual relations thereto as the district and the city may mutually agree upon; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HEAD, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 196, A bill to be entitled "An Act providing for the registration of dogs and for a tax on same; prohibiting unregistered dogs from running at large; prohibiting dogs not muzzled from running at large during the night time; providing conditions under which certain dogs may be killed; making it unlawful to own and keep a dog not registered; prescribing conditions under which poison may be put out for dogs; prescribing the rate of tax and for use and distribution of such fund; providing and prescribing a penalty for violation of this Act, etc., and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 505, A bill to be entitled "An Act amending Article 2797, Revised Civil Statutes of Texas; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 970, A bill to be entitled "An Act amending Chapter 55, Page 110, General Laws, Regular Session, Forty-third Legislature 1933, being an Act creating the office of County Purchasing Agent in all counties in this State having a population of more than one hundred thousand (100,000) inhabitants and less than one hundred and fifty thousand (150,000) inhabitants, as shown by the latest United States Census, and containing two (2) cities of fifty thousand (50,000) inhabitants or more, each, as shown by the latest United States Census; etc., and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 838, A bill to be entitled "An Act providing for and fixing the salaries of the members of the Judiciary of the State of Texas, and making an appropriation for the support and maintenance of the Judicial

Department of the State of Texas, for the two (2) years beginning September 1, 1937, and ending August 31, 1939; requiring certain fees paid to clerks or officers or all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; repealing all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion," etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute in lieu thereof do pass and be printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, May 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 138 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 140 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 331 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, May 3, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 306 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,

Austin, Texas, April 30, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 141 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 30, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 113 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 30, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 80 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 30, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 386 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 30, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 193 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,

Austin, Texas, April 30, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. J. R. No. 16 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

SEVENTIETH DAY.

(Tuesday, May 4, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present: